

Remarks/Arguments

In the specification, page 6, line 32 and page 8, line 8 have been amended to correct minor editorial errors.

Status of the Application

Applicant respectfully requests reconsideration of the rejections and objections set forth in the Office Action mailed on 01/05/2007.

Applicant has amended claims 17 and 30, and has canceled claim 29 in response to a rejection under 35 U.S.C. §102.

Applicant has amended claims 1, 13, 17, 30, and 31, and has canceled claims 15, 22-23 in response to a rejection under 35 U.S.C. §103.

Claim Rejections - 35 U.S.C. §102

Claims 17-18, 21, 24-25 and 28-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Buermann (U.S. Pat. No. 6,003,714) for various reasons. Buermann discloses a compressed gas cylinder safety cap and valve seal retainer comprising a cap having a floor, a wall and a stem.

In response, Applicant has amended independent claim 17 and has canceled claim 29, in order to clarify the invention and include features that are not taught or suggested by the references.

Amended independent claim 17 recites at least two elements not found in Buermann. These are, (1) a ring through which a burst disk is insertable, (2) the ring further having an extended base. [Page 6, Lines 28- 33].

Consequently, since Buermann does not disclose or suggest at least one element recited in claim 17,

Applicant submits that claim 17 should now be allowable over the cited references. In addition, claims 18, 21, 24-25, and 28, that depend from claim 17, should also be allowed because they are patentable over the cited art for the same reasons stated in claim 17.

Claims 30-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Oliver (U.S. Pat. No. 4,266,813) for various reasons. Oliver discloses a funnel shaped device adapted to selectably engage male or female standard garden hose fittings, antifreeze bottles and "Clorox" brand sodium hypochlorite bottles.

In response, Applicant has amended independent claim 30 in order to clarify the invention and include features that are not taught or suggested by the references.

Amended independent claim 30 recites at least two elements not found in Oliver. These are, (1) a ring through which a burst disk is insertable, (2) the ring further having an extended base. [Page 6, Lines 28- 33].

Consequently, since Oliver does not disclose or suggest at least one element recited in claim 30, Applicant submits that claim 30 should now be allowable over the cited references. In addition, claim 31 that depends directly from claim 30, should also be allowed because it is patentable over the cited art for the same reasons stated in claim 30.

Claim Rejections - 35 USC §103

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buermann in view of Flinta et al (U.S. Pat. No. 5,386,924), and Oliver for various reasons. Flinta discloses a cap member for fitment over a gas outlet nozzle having a plurality of serrations on the exterior thereof.

In response, Applicant has amended independent claim 1 and has canceled claim 15 in order to clarify the invention and include features that are not taught or suggested by the references.

Amended independent claim 1 recites at least one element not found in Buermann. That is, a ring having an extended base. [Page 6, Lines 28- 33].

Consequently, since Oliver does not disclose or suggest at least one element recited in claim 1, and since Flinta nor Oliver remedy the deficiencies in Buermann, Applicant submits that claim 1 should now be allowable over the cited references. In addition, claims 2-14 that depend from claim 1 should also be allowed because they are patentable over the cited art for the same reasons stated in claim 1.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Buermann in view of Flinta and Oliver, in further view of Robbins et al (U.S. Pat. No. 6,783,031) for various reasons. Robbins discloses a two-piece dispensing cap for a container has a body and an insert mounted for rotation within the body.

In response, Applicant has amended independent claim 1 from which claim 16 depends, in order to clarify the invention and include features that are not taught or suggested by the references.

Amended independent claim 1 recites at least one element not found in Buermann. That is, a ring having an extended base. [Page 6, Lines 28- 33].

Consequently, since Buermann does not disclose or suggest at least one element recited in claim 1, and since Flinta, Oliver, nor Robbins remedy the deficiencies in Buermann, Applicant submits that claim 16 should now be allowable over the cited references.

Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buermann in view of Oliver for various reasons.

In response, Applicant has amended claim 17, upon which claims 19-20 depend, in order to clarify the invention and include features that are not taught or suggested by the references.

Amended claim 17 recites at least two elements not found in Buermann. These are, (1) a ring through which a burst disk is insertable, (2) the ring further having an extended base. [Page 6, Lines 28- 33].

Consequently, since Buermann does not disclose or suggest at least one element recited in claim 17, and since Oliver does not remedy the deficiencies in Buermann, Applicant submits that claims 19-20 should now be allowable over the cited references.

Claims 22-23 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buermann in view of Flinta, for various reasons.

In response, Applicant has amended claim 17 from which claim 26 depends, and has canceled claims 22-23, in order to clarify the invention and include features that are not taught or suggested by the references.

Amended independent claim 17, recites at least one element not found in Buermann. That is, a ring having an extended base. [Page 6, Lines 28- 33].

Consequently, since Buermann does not disclose or suggest at least one element recited in claim 17, and since Flinta does not remedy the deficiencies in Buermann, Applicant submits that claim 26 should now be allowable over the cited references.

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Buermann in view of Flinta, Oliver, and Robbins.

In response, Applicant has amended claim 17 from which claim 27 indirectly depends, in order to clarify the invention and include features that are not taught or suggested by the references.

Amended independent claim 17, recites at least one element not found in Buermann. That is, a ring having an extended base. [Page 6, Lines 28- 33].

Consequently, since Buermann does not disclose or suggest at least one element recited in claim 17, and since Flinta, Oliver, nor Robbins remedy the deficiencies in Buermann, Applicant submits that claim 27 should now be allowable over the cited references.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oliver in view of Robbins.

In response, Applicant has amended claim 31, upon which claim 32 depends, in order to clarify the invention and include features that are not taught or suggested by the references.

Amended claim 31 recites at least two elements not found in Oliver. These are, (1) a ring through which a burst disk is insertable, (2) the ring further having an extended base. [Page 6, Lines 28- 33].

Consequently, since Oliver does not disclose or suggest at least one element recited in claim 31, and since Robbins does not remedy the deficiencies in Oliver, Applicant submits that claim 32 should now be allowable over the cited references.

Conclusion

Applicant respectfully submits that the current claims are in condition for allowance. If the Examiner finds that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,



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Signed: Merle P. Garcia
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Date: March 19, 2007